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OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date: 19 July 1948

I certify that Document Number 2709-PS was introduced into evidence as Exhibit Number USA-265 in the Trial by the International Tribunal of Hermann GOERING, et al, which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall

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Chief, Document Control Branch

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C E R T I F I C A T E

I hereby certify that the annexed document 2709-PS No. USA-265 is a photostat of an original document submitted in evidence by the United States Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the National Archives, Washington D.C. .

Paul Joosten

Nuremberg, 28 June 1948

PAUL A. JOOSTEN

General Secretary
International Military
Tribunal

USA 265

C E R T I F I C A T E

I, Carl R. Blumenstein, 1st Lt. , AC, Chief, Field Branch, Documentation Division, do hereby certify that the documents known as: U S A Exhibits : 59, 65, 70, 78, 265, 294, and 644 (also by the OCC designations as: L- 273, 150, 151, 292; PS- 2709 ; L- 22, 104 resp.) are photostatic copies of U.S. Department of State Dispatches, which were received by this office through normal documentary channels (as stated in the Coogan Affidavit - U S A Exhibit No. 1) from the United Nations War Crimes Commission, London, in the Fall of 1945. To the best of my knowledge the originals of these documents are held in the archives of the U.S. Department of State, Washington, D.C.

The above mentioned documents, as such, therefore fall into the category of documentary evidence set forth in Article 21, of The Charter of the International Military Tribunal which states "... shall also take judicial notice of official documents (governmental) and reports of the United Nations.. ".

Nurnberg, 8 May 1946

Carl R. Blumenstein

CARL R. BLUMENSTEIN,
1st Lt. AC,
Chief, Field Branch
Documentation Division

AG 9663

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PRESENT OPERATION AND EFFECTS

of the

ANTI-JEWISH MOVEMENT IN CENTRAL GERMANY.

JM

From Ralph C. Busser

Ralph C. Busser,
American Consul. Leipzig, Germany.

Date of Completion: April 5, 1933.

Date of Mailing: April 10, 1933.

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American Consulate, Leipzig.
April 5, 1933.

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PRESENT OPERATIONS AND EFFECTS
of the
ANTI-JEWISH MOVEMENT IN CENTRAL GERMANY.

Central Germany is a large area considered as comprehending the Free States of Saxony, Thuringia, and Anhalt, and the Prussian Province of Saxony. In this extensive region, where the Jews play an influential role in business, and in the professions of law, medicine, journalism, music, and higher teaching, the anti-Semitic movement has during the past month manifested itself in various forms of persecution. This movement, which is continually agitated by the National Socialist Party, has, since the National Election of March 5, 1933, expressed itself not only by more intensive propaganda, but also by the introduction of a policy of exclusion from public office, discrimination in the practice of certain professions, and interference with those in private business. This policy is either carried out or countenanced by the Governments of the Reich and the respective States in this region. As the Government of each State is now in the hands of a Reich's Kommissar, and all the State and municipal authorities are subordinate to him, a political dictatorship practically exists in every State of Central Germany, so that a uniform policy is now followed in the so-called "purging" of the courts, universities, professional schools, State and municipal theatres, orchestras, public offices and institutions from the influence of Jews as well as of

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so-called "Marxists", which term, according to the interpretation of the National Socialists, includes Social Democrats as well as Communists.

This elimination of all Jewish personnel and influence from the Courts, the Civil Service, journalism, the learned and artistic professions, has already manifested itself in the dismissal or "furloughing" of many members of the Hebrew religion or race holding judicial or administrative positions under the Reich, State, or municipal governments; from the management and editorial staffs of newspapers; from the conduct of orchestras, and the artistic or musical directorship of theatres and opera houses; from positions in the universities, high schools (Hochschulen), professional schools (Fachschulen), medical clinics and hospitals; and from the higher positions in the public schools, and in other cultural institutions controlled by the State or municipality in which they are located. (A number of specific cases of the removal of Jews from such public or professional positions has already been reported to the Embassy.)

Purging of the Law Courts. In addition to the removal of Jewish judges, prosecuting attorneys (Staatsanwälte), and other Court officials already reported, the Saxon Ministry of Justice, under the authority of the Reich's Kommissar for the State of Saxony, has issued on March 31, 1933, a decree furloughing until definite decision three County Court Counsellors (Amtsgerichtsräte), one District Court Counsellor (Landgerichtsrat), and one Labor Court

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Director (Arbeitsamtsdirektor) in the State of Saxony, all of them members of the Jewish race. According to this decree, it is also ordered that administration of bankruptcy proceedings (Konkursverwalter), trustees and fiduciaries (Vertrauenspersonen), administrators of decedents' estates (Nachlassverwalter), and similar judicial or quasi-judicial positions can no longer be filled by persons of the Jewish race. This prohibition also applies to judges and attorneys acting in cases under the Law permitting poor persons to have the benefit of counsel and court proceedings without cost (Armenrechtssachen).

According to recent decrees of the Prussian Ministry of Justice, under the authority of the Reich's Kommissar for the State of Prussia, the permission of the Ministry is required for Jewish Notaries to continue acting in that capacity, and for Jewish lawyers to practice in the courts of justice. In order to practice as a Notary or in the courts, every Jewish lawyer has to apply to the Ministry for special permission, which is granted only in exceptional cases, as, for instance, if the lawyer has served at the front during the War. Therefore, most Jewish lawyers in Prussia will in future be allowed only to conduct business in their own offices, and will not be able to appear for their clients in the courts. For instance, in the law courts at Magdeburg, only three Jewish lawyers will be permitted to practice in the courts. The Jewish judges in the Prussian Province of Saxony have already been furloughed, which is considered as equivalent to dismissal, as it is

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not considered likely that any of them will resume their judicial positions.

In the States of Thuringia and Anhalt the Government has also "furloughed" or dismissed from the Law Courts judges, prosecuting attorneys (Staatsanwälte), and administrative officials belonging to the Hebrew race.

This anti-Jewish movement has even invaded the Supreme Court (Reichsgericht) of Germany, as the only Jewish member of that Court, Dr. David, the President of the Eighth Civil Section (Zivilsenat) offered his resignation several weeks ago under a threat communicated to him by a lawyer that if he continued in office the National Socialists would interrupt the proceedings in his court and prevent him from exercising his judicial functions. Although Dr. David's resignation has not been accepted, and he is still exercising his functions as Presiding Judge of the Eighth Civil Section, it is feared that he will soon be pensioned off under the new law of the Reich requiring the dismissal of Jews from all public offices. (A "Senatspräsident" is the Presiding Judge of one of the Civil or Criminal Sections of the Supreme Court of Germany, which is divided into 13 Sections called "Senate", each of which is composed of about eleven Judges (Reichsgerichtsräte), only five of whom sit at a trial. This Court exercises appellate jurisdiction in Civil and most criminal proceedings, and original jurisdiction in special criminal trials as for high treason.)

According to the newspapers and the opinion of well informed persons, the policy of the present political regime

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is to permit only German Gentile lawyers to act as notaries; to limit the number of Jewish lawyers practicing in the Law Courts to about one percent of the total number of lawyers. which is the proportion of Jewish citizens to the whole population of Germany.

During the National Socialist boycott of Jewish merchants, physicians, and lawyers on Saturday, April 1, 1933, no Jewish lawyer was permitted to appear in any of the Law Courts in Leipzig and other cities and towns in this region. As the boycott was supported by the Government, no protection was afforded to a lawyer who had the courage to appear in any of the courts. For example, Dr. Drucker, one of the leaders of the Leipzig Bar, on April 1, 1933, while representing the defendant in a criminal trial before the Ninth Criminal Section of the District Court at Chemnitz, Saxony, was arrested and removed from the Court to the Police Station by a Police sergeant (Polizei-Oberwachtmeister) and three uniformed "Nazis", notwithstanding the protest of Dr. Drucker and the Presiding Judge against this violation of the sanctity of the Court. Dr. Drucker is a Jew only by race, as he was born a Christian, his father having been baptized in the Lutheran Church. Dr. Drucker is one of the most distinguished lawyers in Germany, having been active President of the National Association of German lawyers (Deutscher Anwaltsverein) for about ten years up to 1932, when he resigned and was made Honorary President.

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Definition of a "Jew" official. The universities, commercial high schools (Handelshochschulen), and technical high schools (Technische Hochschulen) in Central Germany are of course affected by the new Reich's law for the re-organization of the Service of career officials (Gesetz zur Wiederherstellung des Berufsbeamtentums). This law embraces all direct officials of the Reich, of the German States, municipalities, etc., officials of the Social Insurance organizations, law judges, as well as teachers in the educational institutions above mentioned.

According to Section 3 of this Law, officials who are not members of the Aryan race must be retired or pensioned off, allowing to them, however, their claims to pension, titles, etc., so far as they have not been guilty of any serious violations of duty. An exception to this order for dismissal of Jewish officials is made in the case of those who held their positions before the War, those who have been in War service at the front, and those whose fathers or sons have fallen in the field of War. This is the first time that such a paragraph applying to Jewish officials is included in a law of the Reich.

In order to determine whether a person is or is not of Aryan race, this Law establishes the principle that a person is to be considered a non-Aryan (that is, a Jew) if one of his grandparents was Jewish.

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The Medical and Dental Professions. The anti-Semitic campaign has been directed not only against Jewish merchants and lawyers, but also against Jewish physicians, surgeons, and dentists, all of whom were placed on the proscriptive list of those to be boycotted on Saturday, April 1st, which was published in the "Leipziger Tageszeitung" on March 31st. This drive against Jewish physicians has even invaded the medical clinics and public hospitals. For example, Dr. med. Richard Schatzky, Chief of the X-ray Department of the Medical Clinic of the University of Leipzig, at St. Jacob's Hospital, and Dr. med. Jakob Schloss, another assistant in that Clinic, have recently been "furloughed" on account of being Jews. The fate of a Gentile medical assistant whose wife is a Jewess still hangs in the balance.

In the local newspapers of April 8, the State Commissioner (Staatskommissar) for Health and Hygiene in the Free State of Saxony has, in his capacity as District Leader (Gau-Obmann) of the National Socialist German Association of Physicians, publicly warned all young physicians and dentists not to accept positions with Jewish physicians or dentists.

According to information from reliable sources, it is proposed in the future to limit the number of University students of medicine and dentistry, and of graduates admitted to practice, to one percent of the total number of medical men and dentists, respectively, which corresponds to the proportion of Jewish citizens to the total population in Germany. To what extent this restriction will affect physicians and dentists already admitted to practice has not yet been determined.

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The Teaching Professions. According to a news item in the "Neue Leipziger Zeitung" of April 8, the National Socialist Press Service reports that steps have been taken for the introduction of the numerical limitation of Jewish students in the University of Leipzig. In view of the extraordinary high percentage of Jewish students at the University, it is proposed in future to exclude Jewish students from the University for ten semesters (five years). According to this report, a Jew is considered one who has over 25 percent of Jewish blood. The reason given for these measures is the overcrowding of the academic professions. It is supposed that similar or even more stringent numerical restrictions will be applied to the Jewish students attending, or desiring to enter, the University of Halle in the Prussian Province of Saxony, and the University of Jena in the State of Thuringia.

In view of the policy adopted and of the measures already taken by the State Ministries of Education, it is expected that all of the Jewish professors and other instructors will be dismissed from the Universities of Leipzig, Halle, and Jena. As the German universities are now in vacation until about the middle of April, it is likely that whatever decision has been arrived at will be publicly announced by the respective State Ministries of Education prior to or about the time the universities reopen for the summer semester. In view of the State control over the three universities above mentioned, and of the strong influence upon Government policy exerted by the National Socialist Party, it is considered inevitable that not only

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Jewish professors, but Gentile professors of liberal tendencies, will be removed, especially those holding Chairs in economics, history, or other subjects related to politics.

This furloughing of Jewish medical men, professors, instructors, and administrative officials in public and quasi-public institutions is considered equivalent to dismissal, as it is not expected that any of them will be permitted to resume their former positions. During the period of furlough, which is limited to three months or less, they may receive their salaries, but, if not permitted to resume their positions, they will cease to draw their salaries after the termination of the furlough.

National Convention at Leipzig of School Teachers. At the national convention of the National Socialist Union of School Teachers (Lehrerbund), which was held in Leipzig on April 8 and 9, 1933, a strong anti-Jewish position was taken. The Minister of Education for the State of Bavaria was one of the principal speakers. It was decided to amalgamate all of the teachers' associations in one National Association cooperating closely with the Reich's Government. Yesterday in a special discussion Herr Göpfert, the National Socialist Adviser to the Saxon Ministry of Education, and also the District Leader of that Party, made to the convention the following communication:-

> "The members of the executive committee (Verstand) of the Saxon Teachers' Association ("Sächsischer Lehrer-verein", supposed to be under Marxist influences), have been arrested, its offices closed, and its periodicals prohibited. After showing our power we can extend the hand of reconciliation. On Monday the meeting of representatives will solemnly accept without discussion the following decision: 'The Saxon Teachers' Association

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Association must join as a section of the National Socialist Teachers' Union.' At the same time a 'purging process' is being carried out. No Jews, freemasons, or Marxists will be accepted; who does not agree to this, acknowledges himself as an enemy of the Nationalist Government." ("Marxists" include not only Communists, but Social Democrats and others holding the views of Karl Marx.)

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Musical and Theatrical professions. The policy of excluding Jews from positions of authority and influence has been ruthlessly pursued in the musical and theatrical professions, in which members of the Hebrew race have made such invaluable contributions to German culture during the past few hundred years. Jewish actors, singers, musicians, composers, artists, directors, and conductors are being dismissed from State, municipal, and private theatres, opera houses, and concert halls.

To mention conspicuous victims of this anti-Jewish policy of the political party which now controls all the organs of public opinion and culture in Germany, Bruno Walter, the conductor of the Leipzig Gewandhaus Orchestra, and Gustav Brecher, the General Music Director of the Neues Theater (the municipal opera house of Leipzig), have both been recently prevented from conducting, and it is not likely that, under the present political regime, either of them will ever be permitted to resume their positions. It is reported that Bruno Walter will make his residence in the United States, where he has already during the opera season conducted orchestras, notably at the Metropolitan Opera House in New York.

As part of the culture program of the dominant political party, the so-called "purging" of the musical profession is now being carried out in Leipzig and vicinity. Thus several weeks ago the National Socialist Professional Musicians of the County of Leipzig, through the chief of their section, demanded the exclusion of all "Jews and other foreigners" from all orchestras and bands, and that "vacant musical

positions

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positions shall be reported to the 'Betriebszellen-Organisations', which is to be organized by the State as a public office". (A "Betriebszellen-Organisation" is an organization of National Socialist "cells" in factories, offices, shops, and other establishments.)

Another example of the systematic movement to drive all Jews from the musical profession is the recent action taken by the National Socialist Professional Musicians of the City of Leipzig, which made certain demands upon the Government, which were published on March 23rd in the "Leipziger Tageszeitung", the local newspaper of that Party. The following is a translation of those demands which concern Jewish musicians:-

> "In all Concert Agencies and Employment Agencies for musicians all Jews and other foreigners ("Ausländer"*) as well as unconvertible 'Marxists' must be replaced immediately by Germans. The same replacement must be made in the managements and staffs of public, semi-official, and private institutions for arranging concerts.
>
> "The activity of Jews and other foreigners (Ausländer) in the German daily press is immediately to be prohibited, so far as concerns criticism of artistic accomplishments of Germans, or works of German composers of music. Such articles, if written by foreigners, when published must be accompanied by a note as to the nationality or race of the author.
>
> "After the exclusion of persons of strange races ("Rassefremden") from the management of all Associations for the protection of the rights of music composers, a new system of proportionate rates of division of the royalties earned from works of German composers must be established. Foreigners ("Ausländer") of all kinds are only under the protection of Associations in their own countries. German associations are not entitled to collect royalties for such 'foreigners' unless there are special contracts with foreign Associations concerning the protection of the legal rights of composers of music.
>
> "The unofficial teachers in Conservatories of Music (Musikhochschulen) and in music schools demand the removal of all teachers whose teaching is not their main profession. No foreigner ("Ausländer") of any kind is permitted to teach music in Germany so long as there is any German music teacher without a position."

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* "Ausländer" in this connection means Jews irrespective of nationality.

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Persecution of Jewish Merchants.

The anti-Jewish persecution reached its high-water mark on Saturday, April 1st, the day of the official boycott declared in advance by the National Socialist Party and supported by the Police authorities, who are now mostly State or district leaders of that Party. The local storm detachments of "Nazis" were so impatient to begin their activities that many Jewish retail shops were actually boycotted on March 31 as well as April 1st. This boycott manifested itself not only in placarding and picketing the retail shops of Jewish merchants and the offices of Jewish lawyers and physicians, but also in raids of several department stores and numerous acts of violence in Leipzig and other towns of Central Germany. In Leipzig the Jewish shops were not closed on Friday, as the boycott was not supposed to commence until the following day. Squads of uniformed "Nazis" on three seperate occasions raided the Kaufhaus Brühl, one of the largest department stores in Leipzig, drove out the customers, and expelled or arrested the Jewish shop assistants. Other Jewish shops were raided in the same manner.

Taking only Peter's Strasse, the principal shopping street of Leipzig, four cases of physical assault, one of the victims a Jewish woman, were reported to the writer by trustworthy eye-witnesses, one of whom being an officer of this Consulate. Two of the victims were badly beaten up. In the Leipzig fur district, 15 German Jews were forcibly taken from their places of business and compelled to walk along the streets, carrying signs warning people not to

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buy in Jewish stores. In view of the fact that these particular outrages were accidentally witnessed by personal friends of the writer, it is quite reasonable to credit the reports of numerous other acts of violence committed in Leipzig by uniformed "Nazis" in carrying out the boycott on March 31st and April 1st. Owing to the strict press censorship, none of these raids or attacks were reported in the newspapers.

During and since the boycott, much pressure has been brought to bear upon local merchants and other employers to dismiss their Jewish employees. Even some Jewish merchants, fearing bodily injury to themselves or damage to their establishments, have dismissed employees of their own race.

Some business corporations, in order to avoid the boycott or other measures of discrimination, which might involve serious loss of business, have sought to transform Jewish into Gentile firms by the dismissal of all Jewish persons holding important positions therein. For example, Warenhaus Theodor Althoff, the largest department store in Leipzig, has been considered as a Jewish establishment until March 31, 1933, when the owners thereof, the Karstadt Aktien-Gesellschaft, dismissed all the Jewish members of its Board of Directors (Aufsichtsrat) and Executive Committee (Vorstand) as well as the Jewish managers of its stores.

The constant exposure of Jews, even those holding important positions in the Community, is indicated by the fact that on the night of March 21st, the manager of the local department store above referred to, Dagobert Aronstein,

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a German Jew, was forcibly taken by men in "Nazi" uniform from his home at No. 10, Schlegelstrasse, Leipzig, to one of the "Nazi" barracks and there beaten up so severely that he had to be removed to the local Jewish hospital, where he has since lain in a very critical condition. The report of his death has not yet been verified.

Many Jewish merchants in Central Germany, even before the declaration of the boycott, suffered from "Nazi" raids, physical assaults, damage to goods, threats to them and their customers, and other interference with business. In many towns the Jewish dealers have been driven from their stalls in the public market places. According to the new regulations in Leipzig and other towns, Jews, irrespective of nationality, will not be permitted to occupy booths at the market fairs.

Owing to the fact that, under the present political regime, the freedom of the press is greatly restricted, and publishes nothing which might offend the present Government or the National Socialist Party leaders, there is no means of ascertaining the number of political outrages committed in Central Germany against German Jews, their business and property, since the present Government came into power. The only available official sources of information are the Consulates, which have a partial record of the political offenses committed against their nationals by uniformed storm detachments and other members of the National Socialist Party. As Polish nationals constitute the most numerous class of foreign Jews in Central Germany, the

records

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records of the Polish Consulate at Leipzig (which has jurisdiction in the Free States of Saxony, Thuringia, and Anhalt, and in the Prussian Province of Saxony) offer convincing proof that the persecution and baiting of Jews in this region has been systematically and brutally carried out and continued practically up to the present date. Of course many attacks upon Polish Jews have never been reported to the Polish Consulate, as all of those arrested and maltreated in the "homes" or barracks of the "Nazi" storm detachments are, in order to obtain their release from custody, compelled to sign a statement that they have suffered no bodily harm while detained. However, according to the voluntary declarations of the victims or eye-witnesses of anti-Jewish attacks, now on file in the Polish Consulate, the following specific cases have actually occurred in towns of Central Germany:-

Since the 15th of March, 1933, the Polish Consulate has had to intervene practically every day in numerous cases of political outrage of various kinds, which occurred in Leipzig, Dresden, Chemnitz, Plauen, Zwickau, Altenburg, Dessau, Halle, Muehlhausen, Bernburg, Elsterwerda, and other towns in this region.

Scores were arrested, but most of them were later released. According to the latest report, twelve of these Polish Jews were still in custody, either in Police stations or in "Nazi" barracks. As eight of the Jews (including one woman) arrested in Dresden are members of the Executive Committee (Vorstand) of the "Verein jüdischer Händler und

Angestellten

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Angestellten" (Association of Jewish Dealers and Employees), to which the individual dealers and employees apply for aid and counsel, it is evident that the purpose of these arrests was to break up this Association.

Polish Jews beaten with rubber truncheons and otherwise mistreated in Labor Union Houses (Volkshäuser), which were seized about a month ago in each town and are now occupied as headquarters and barracks by storm detachments (S.S. and S.A. men) of the National Socialist Party, numbered 25 in Dresden, 3 in Leipzig, and 6 (including one woman) in Chemnitz. Some of these victims of assault were so severely injured as to require medical or hospital attention. In many cases the victims were actually seen by the Polish Consul or his representative, one or the other traveling to the respective towns to make a personal investigation of the attacks reported to the Consulate.

In Dresden several weeks ago uniformed "Nazis" raided the Jewish Prayer House (Bethaus), interrupted the evening religious service, arrested 25 worshippers, and tore the holy insignia or emblems from their head covering worn while praying.

Eighteen Jewish shops, including a bakery, mostly in Chemnitz, had their windows broken by rioters led by uniformed "Nazis".

Five of the Polish Jews arrested in Dresden were compelled to each drink one-half liter of castor oil. As most of the victims of assault are threatened with worse violence if they report the attacks, it is not known to what extent

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extent fanatical "Nazis" are still terrorizing Jews, Communists, and Social Democrats, who are considered as favoring the old Parliamentary regime in Germany.

Some of the Jewish men assaulted had to submit to the shearing of their beards, or to the clipping of their hair in the shape of steps. One Polish Jew in Chemnitz had his hair torn out by the roots.

Polish as well as German Jews in Leipzig, Chemnitz, and other towns in Saxony were at different times arrested during March by uniformed "Nazis" and compelled in broad daylight to march through the streets, from one place to another, carrying water buckets and brushes, and then forced to scrub from the outside walls of buildings, the slogans, signs, and symbols of the Communist and Social Democratic parties. There is of course no means of ascertaining how many German Jews have been forced to perform this degrading work; but, according to the records of the local Polish Consulate, there is documentary evidence of 7 cases of Polish Jews, namely: 4 in Leipzig and 3 in Chemnitz, compelled to wash such political slogans off the walls of buildings in these cities.

Since March 25th, 3 Polish dwellings have been broken into in the course of an alleged search for weapons, 2 of which were in Leipzig and one in Chemnitz. During these searches of Polish dwellings, 3 of the inmates were mistreated and suffered bodily injuries.

Another

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Another form of anti-Jewish persecution, which has continued from March 5th up to the present time, consists of raids organized and conducted by storm detachments of uniformed "Nazis" upon the stands or booths of Jewish dealers at market fairs, which are frequently held in Central Germany, especially in the small towns. During these raids the Jews were chased away from their market stalls and in some towns not permitted to return. In other towns the Jewish dealers, although promised Police protection, have been prevented from returning by threats or fear of violence and bodily injury. Since March 25th, Jewish dealers of Polish nationality driven away from their market stands numbered 20 in Limbach and 1 in Grossenhain (both towns in the Free State of Saxony), 12 in Bitterfeld, 20 in Halle, and 40 in Wittenberg (all of these towns being in the Prussian Province of Saxony). As some of these raids were reported by the victims, the Polish Consulate intervened with the Police authorities in each town. In some places the Jewish dealers received Police protection and were permitted to return, but in other towns the Police declined to interfere, so that, in view of "Nazi" violence and threats, they feared to return to their stalls in the market fairs. It should be mentioned that all of these dealers having market stalls pay rent therefor to the respective municipal governments.

In the market fairs to be held this month in Leipzig, Zeitz, and Apolda (Thuringia), Jewish dealers, even though they have already paid rent for their booths, have received notices

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notices from the municipal officials supervising these fairs, warning them not to attend and to apply for the return of the rent they have already paid. According to information obtained by the Consulate to-day from the municipal office at the City Hall having the supervision of market fairs in Leipzig, Jews, irrespective of nationality, will not be permitted to rent or occupy booths either for vending their wares, or for conducting carrousels, sight shows, and other amusements at the Spring Market Fair (Kleinmesse) to be held in Leipzig from April 23 to May 14th. The reason given for this order is the maintenance of public order and safety, which it is said will be endangered if Jews are permitted to do business at the fair as in former years.

Operations and Effects of the Boycott. No Jewish merchants of American nationality complained to the Consulate concerning the operation of the boycott. Notwithstanding the general order that the anti-Jewish boycott was not to be enforced against foreigners, some of the Consulates in Leipzig, especially those of Poland, Czechoslovakia, Roumania, and the Argentine, had to intervene with the authorities last Saturday, in order to secure the removal of "Nazi" placards and pickets from retail shops conducted by foreigners. Consular interventions with the Police authorities in Leipzig usually resulted in securing the necessary protection, so that the foreign Jewish merchants were enabled to conduct their business the

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rest of the day without interference by the "Nazi" pickets. However, on the case of Jewish establishments placarded and picketed by uniformed "Nazis" in other towns of Central Germany, the Polish Consul reported to me that in some towns the Police authorities failed to give the necessary protection to Jewish merchants of Polish nationality, so that their places of business were boycotted all day Saturday. In the town of Lengefeld (Free State of Saxony), when the Polish Consul requested the Police Commissioner (Polizeikommissar) to order the removal of the placards and pickets from the establishments of Jewish merchants of Polish nationality, the Commissioner stated that he was also the local "S.A. Führer" (Storm detachment leader), and that he would not interfere with the picketing, but would be glad to send such Jewish merchants accompanied by S.A. men to the Consulate at Leipzig. In other towns the Police authorities promised to furnish the protection requested, but in some cases failed to carry out their promises.

According to the opinion of some well informed Germans with whom the writer has spoken recently, the chief purpose of the boycott was really to spread and intensify anti-Semitism in Germany, and especially to persuade and frighten people from patronizing Jewish merchants, lawyers, and physicians. Before the use of the boycott and other measures of force the anti-Jewish propaganda, although vigorously carried on by the National Socialist Party, was not very successful in Leipzig and some other towns in Central

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Central Germany; the people continued to purchase at Jewish stores as usual up to the time of the boycott. By ordering an official boycott the National Socialists were able to publish in their newspapers the lists of proscribed Jewish lawyers, physicians, and merchants, and by placarding and picketing Jewish retail shops and the offices of Jewish lawyers and physicians to publicly stigmatize them, so that the whole public would be informed regarding the Jewish race or religion of the persons thus branded.

In fairness to the German people it must be said that the boycott was unpopular with the working classes and the more intelligent section of the middle classes. During and since the boycott the writer has had occasion to talk with many Germans and I have met only two who defended the boycott, both of them members of the National Socialist Party. One of these men, a well educated merchant, told the writer that the attacks upon Jews and Marxists were partly attributable to the indignities to which German officers were subjected in the Revolution of 1918, when their stripes and epaulettes were torn off their uniforms; that the Jews were largely responsible for the Revolution and the Treaty of Versailles; and that the Jews deserved the treatment which they are now receiving.

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Reasons given for Discrimination against Jews. Some Germans, while condemning the boycott as barbarous Jew-baiting, defend the removal of Jewish government officials, judges, public prosecutors, notaries, theatre directors, concert conductors, University professors, higher teachers in the public schools, and the discrimination against Jewish lawyers and students. They make this defence largely on the ground that although the Jews number only about one percent of the total population in Germany, they hold a much larger percentage of the important public and professional positions. As this discrimination against Jews is one of the policies of the National Socialist Party, it is generally supposed here that it will be systematically carried out in all public offices and institutions of art and culture, and even in business establishments, where the National Socialist Party can exert influence, either through the national, State and municipal officials now under their control, or by threats of the leaders or members of "Nazi" storm detachments against employers.

A Method of Extortion. Some of these storm detachments have even gone so far as to undertake for National Socialists the collection of claims against Jews. As proof of this there is annexed hereto a copy of a letter signed by the leader of the Nazi Storm Detachment, Sub-Group Leipzig to a Mr. and Mrs. Bornstein, who are Jews, ordering them to pay within three days a claim against them assigned to the said sub-group by Fräulein Martha Schmidt, evidently a National Socialist. There is no doubt about the

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correctness of this copy, as the writer saw the original letter signed by the leader of one of these storm troops. Although an irregular demand of this kind is of course in the nature of extortion, it is thought that most of such demands will be complied with, as the persons thus threatened would naturally fear that their refusal would result in physical violence, especially as they already know or have heard of many Jews who have been beaten up by these S.A. men of the National Socialist Party.

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Exodus of Jews. During the past two weeks, especially between the 30th of March and the 1st of April, when the passport control of outgoing persons became effective, the flight of Jews from Leipzig and other parts of Central Germany has remarkably increased. Trains leaving Leipzig for Holland, Belgium, Switzerland, and other foreign countries have been crowded with Jews and their families. Some idea of the exodus of Jews from Germany to Switzerland via Basel alone is indicated by the Swiss Telegraphic Agency's report published in the "Neue Zürcher Zeitung" of April 8, 1933, that the Swiss police of the Canton Basel on the German frontier have established a thorough frontier control and that from the 30th of March until the End of April (the boycott against the Jews in all Germany having been declared for the 1st of April) the Jews entering that Canton from Germany numbered at about 3,000, of whom only an insignificant number were tourists; the others, as reported by the Jewish Relief Committee, were fugitives.

Local Jews report that the migration from Germany would assume much larger proportions if the Jews were able to transfer their capital abroad or take with them considerable sums of money for the support of their families until they found employment in foreign countries. The present Government control of foreign exchange transactions makes it impossible for travelers or emigrants to transfer or take with them abroad more than a limited amount corresponding with their modest requirements during the period of absence.

Since the 4th of April every German leaving

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leaving this country, whether for a short sojourn or longer absence, is required to have his passport visaed for that purpose at the nearest Police Administration. Therefore, it may be said that the frontier control has been transferred to the interior and assumed by the Police authorities of each locality. The visa is issued gratis, but certain formalities have to be observed. The application for the issuance of the visa must contain not only the essential data usually required, but also the destination and the purpose of the journey including the reasons for its necessity, which have to be verified by documents. The day of the intended crossing of the frontier, leaving and returning to Germany, must also be stated in the application. Besides, the applicant must present a certificate from the National Revenue Office (Finanzamt) that he has complied with his obligations as taxpayer. If a businessman requires a visa for crossing the frontier frequently (Dauersichtvermerk), which, as a rule, is valid for six months, he is required to obtain from his local Chamber of Commerce a special certificate regarding the business necessity of such journeys. It is understood that not only political suspects, but even applying in Saxony for visas to enable them to go abroad, are affected by rules similar to those contained in the circular instruction issued on April 4th by the Prussian Kommissar for the Prussian Ministry of the Interior, determining when such a visa is to be refused, as under the following circumstances:

-1. The visa is to be refused if the facts justify the assumption that the person to go abroad will conduct himself in a manner hostile to the Reich or a German State, or

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is supected of the intention to traduce members of the Reich's Government or of the Government of a German State or similar organs, institutions, or authorities of the Reich or a German State.

"2. When there is danger that the departing person will spread abroad inaccurate news which may injure the essential interests of the Reich or of a German State.

"3. When there is danger that the departing person will violate the Regulations for the Control of Foreign Exchange Transactions.

"4. When it is feared that the departing person will, by his journey abroad, evade his tax obligations."

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Conclusion. The foregoing facts show that the anti-Semitic movement in Germany has already gone so far as to deprive many Jewish citizens, temporarily or permanently, of an elementary civic right - the right of engaging in a legitimate business or profession of their choice. According to the new law of the Reich for the "Reorganization of the Service of Career Officials", all Government officials and civil servants of Jewish race must be dismissed from the Service. From the steps already taken by the National Socialist Party, whose leaders are now the governing authorities in Central Germany and throughout the Reich, it is evident that the Jews are to be deprived of still another civic right, namely the free entry of the citizen, subject to his complying with the usual requirements, into the professions of music, dramatic art, journalism, higher teaching, law, and medicine. If, in addition, they are prevented from leaving Germany by severe passport control, or by the Government control of foreign exchange transactions, which prevents the transfer of their capital abroad, this is practically a deprivation of the humane right of migration, as Jewish paupers would be excluded from most countries on account of extensive unemployment or the severity of immigration laws.

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Sources of Information:

1) Testimony of eye-witnesses.
2) Conversations with trustworthy and well-informed persons.
3) Newspapers published in the consular district of Leipzig.
4) Records of American, Polish, and other Consulates in Leipzig.

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DOCUMENT 2709-PS
OFFICE OF US CHIEF OF COUNSEL

PRESENT OPERATION AND EFFECTS

of the

ANTI-JEWISH MOVEMENT IN CENTRAL GERMANY.

From

Ralph C. Busser,
American Consul. Leipzig, Germany.

Date of Completion: April 5, 1933.

Date of Mailing: April 10, 1933.

In Dresden several weeks ago uniformed "Nazis" raided the Jewish Prayer House (Bethaus), interrupted the evening religious service, arrested 25 worshippers, and tore the holy insignia or emlems from their head covering worn while praying.

Eighteen Jewish shops, including a bakery, mostly in Chemnitz, had their windows broken by rioters led by uniformed "Nazis".

Five of the Polish Jews arrested in Dresden were compelled to each drink one-half liter of castor oil. As most of the victims of assault are threatened with worse violence if they report the attacks, it is not known to what extent fanatical "Nazis" are still terrorizing Jews, communists, and Social Democrats, who are considered as favoring the old Parliamentary regime in Germany.

Some of the Jewish men assaulted had to submit to the shearing of their boards, or to the clipping of their hair in the shape of steps. One Polish Jew in Chemnitz had his hair torn out by the roots.

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TRANSLATION OF DOCUMENT 2709 - PS
OFFICE OF U S CHIEF OF COUNSEL

Freiwilliger Bericht.

- Streng Vertraulich -

Page 23 STEMPEL

Auszugsweise Uebersetzung:

Gegenwaertige Vorgaenge und Auswirkungen der antijuedischen Bewegung in Mitteldeutschland.

Von: Ralph C. Busser.
Amerikanischer Konsul Leipzig, Deutschland.

Verfasst am 5. April 1933.
Abgesandt am 10. April 1933.

Page 40.

In Dresden haben vor mehreren Wochen uniformierte "Nazis" das juedische Bethaus ueberfallen, den Abendgottesdienst unterbrochen, 25 Andaechtige verhaftet, und heilige Abzeichen oder Sinnbilder von ihren Kopfbedeckungen gerissen, die waehrend des Gebets getragen werden.

18 juedischen Geschaeften, einschliesslich einer Baeckerei, zumeist in Chemnitz wurden die Fenster von Anfuehrern, die von uniformierten "Nazis " angefuehrt wurden, eingeschlagen.

Fuenf von den in Dresden verhafteten polnischen Juden, wurden gezwungen je einen halben Liter Rizinusoel zu trinken. Da die meisten Opfer dieser Angriffe mit aergeren Gewalttaetigkeiten bedroht werden, im Falle sie diese Vorgaenge zur Anzeige bringen, konnte nicht festgestellt werden, in welchem Ausmasse fanatische "Nazis", Juden , Kommunisten und Sozial Demokraten, von denen angenommen wird, dass sie die parlamentarische Regierungsform bevorzugen, noch immer terrorisieren.

Einigen der angegriffenen Juden wurden die Baerte abgeschnitten. In Chemnitz wurde einem polnischen Juden das Haar bei den Wurzeln ausgerissen.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 2709 - PS

26th November 1945

I, T.W. SCHOENFELD; 51 029; hereby certify that I am thoroughly conversant with the English and German languages; and that the abpve is a true and correct translation of Document 2709 - PS.

T.W. SCHOENFELD

51 029

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Freiwilliger Bericht.

- Streng Vertraulich -

Page 23 STAMPEL

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